

EXHIBIT P

		INCIDENT/INVESTIGATION REPORT				Case#		
						2016-01752		
INCIDENT DATA	Agency Name		Melvindale Police Department		Date / Time Reported			
	ORI		MI 8257200		06/16/2016 11:55 Thu			
	Location of Incident		17334 Hanna Ave, Melvindale MI 48122-		Last Known Secure		06/16/2016 11:55 Thu	
	Premise Type		Residence/home		At Found		06/16/2016 11:55 Thu	
	Zone/Tract							
	#1	Crime Incident(s) (Com)		Weapon / Tools		Activity		
		Violation Of Controlled Substance Act. (Vcsa) - 35001		Entry		Exit	Security	
	#2	Crime Incident (Com)		Weapon / Tools		Activity		
		Obstructing Police 48000		Entry		Exit	Security	
	#3	Crime Incident ()		Weapon / Tools		Activity		
				Entry		Exit	Security	
MO								
VICTIM	# of Victims	1		Type: SOCIETY / PUBLIC		Injury:		
	V1	Victim/Business Name (Last, First, Middle)		Victim of Crime #		DOB	Race Sex Relationship To Offender Resident Status Military Branch/Status	
		The State Of Michigan		1,2		Age		
	Home Address				Home Phone			
	Employer Name/Address				Business Phone Mobile Phone			
OTHERS INVOLVED	VYR	Make	Model	Style	Color	Lic/Lis	VIN	
	CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)							
	Type:	Injury:						
	Code	Name (Last, First, Middle)		Victim of Crime #		DOB	Race Sex Relationship To Offender Resident Status Military Branch/Status	
						Age		
	Home Address				Home Phone			
	Employer Name/Address				Business Phone Mobile Phone			
	Type:	Injury:						
	Code	Name (Last, First, Middle)		Victim of Crime #		DOB	Race Sex Relationship To Offender Resident Status Military Branch/Status	
						Age		
Home Address				Home Phone				
Employer Name/Address				Business Phone Mobile Phone				
PROPERTY	1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown ("OJ" = Recovered for Other Jurisdiction)							
	VI #	Code	Status Fm/To	Value	OJ	QTY	Property Description Make/Model Serial Number	
	1	11	EVID	\$0.00		1	Narcotics equipment	
	1	04	OTHR	\$20.00		1	BICYCLES	
		68	RETU	\$0.00		1	LAWN/YARD/GARDEN EQUIPMENT	
Officer/ID#		HINOJOSA, R. (ME016)						
Invest ID#		THOMPSON, J. R. (ME036)						
Status	Complainant Signature		Case Status		Supervisor		JONES, D. (ME020)	
			Arrest		Case Disposition:			
Printed By: CHAYSE, CHIEF				06/16/2016		Page 1		

Sys#: 777555

07/22/2016 10:49:01
4/23/2018Defendant's Response to 1st Request to Produce
006522

Incident Report Additional Name List*Melvindale Police Department*

OCA: 2016-01752

Additional Name List

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NameCode/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) WI 1	GRAFF, TAMMY LYNN		10/09/1974	41	W	F
	Address 17430 Hanna St , Melvindale, MI 48122-1081					
	Empl/Addr					
			H: 313-485-0683			
			B: - -			
			Mobile #: - -			

R_CS7NC

Printed By: CHAYSE, CHIEF

07/22/2016 10:49

4/23/2018

Defendant's Response to 1st Request to Produce

006523

INCIDENT/INVESTIGATION REPORT

By: CHAYSE, CHIEF 07/22/2016 10:49

Melvindale Police Department

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Case# 2016-01752

[illegible][illegible]

Assisting Officers

FURMAN, M.L. (ME044), SLAUGHTER, E. (ME021)

Suspect Hate / Bias Motivated: *None*

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NARRATIVE

On 06/16/2016 at approximately 1155 hrs, Officers were dispatched to the area of 17334 Hanna Ave. Several residents had called MEPD to advised that a known (See Reports 2016-01736 and 2016-01737) burglary/larceny offender was spotted in the area.

Cpl. Furman States:

On 06/16/2016, I was working day shift from 0800 hrs to 1600 hrs. I was in full uniform and a fully marked police car. At approximately 1155 hrs, I was dispatched to the area of 17334 Hanna Ave, to check for a burglary/larceny suspect ROBERT MICHAEL MCCLINTOCK. Several persons called MEPD to and reported that the same man who has been stealing from their neighborhood was back in the area. Upon arrival in the area, I observed a walk behind lawn mower near the intersection. I was flagged down by a female resident, who advised me that I needed to follow a black truck, that had just turned east onto Martel Ave. I activated my lights and sirens and pursued the black pickup truck, which unknown to me at the time, was pursuing MCCLINTOCK who was on a black bicycle. We continued east on Martel Ave, South on Allen Road, East on Elizabeth Ave, North on Reed Street, East on Pinkowski Street, South on Prospect Ave, and East on Caryn Street. The truck stopped in front of 3567 Caryn Street. I observed the driver, Michael Graff, exit the vehicle. Graff then pointed at MCCLINTOCK and shouted that he has been stealing stuff. MCCLINTOCK, who was on his bicycle, turned and looked at me, and I shouted very loudly "FREEZE, POLICE!" and MCCLINTOCK continued to bicycle up the driveway and into the back yard. I ran into the back yard, and found the bicycle on the ground at the fence line, and saw MCCLINTOCK running through a neighboring yard. I yelled "POLICE, COME BACK!" but MCCLINTOCK did not. Due to possible aggressive dogs in the yard, I did not pursue further on foot. I heard the fence along the front of the house make noise and advised other units that MCCLINTOCK was on Ferguson Street. I seized and secured MCCLINTOCK's bicycle in the rear of my patrol car.

I, along with other units, continued to check the area for MCCLINTOCK. Throughout this time, MEPD Dispatch provided up to date information on MCCLINTOCK's last known whereabouts and direction of travel. I was flagged down by numerous residents, who each provided information as well. I observed numerous residents to be running through the neighborhoods and searching for MCCLINTOCK. As I approached Clarence Ave, several persons flagged me down and advised that MCCLINTOCK was running west on Clarence. As I drove down Clarence, I was flagged down by a man who stated "they got him" in the backyard of 3509 Clarence. I ran into the backyard of this address, and observed 4 or 5 males standing around MCCLINTOCK, who was laying on the ground. They advised that MCCLINTOCK is "strong as an ox" and that he will try and get away again.

It appeared that MCCLINTOCK had injured himself while fleeing on foot or had been involved in some sort of fight. I observed MCCLINTOCK to be shirtless and only wearing one shoe. His shirt and the other shoe were nearby in the grass. I observed MCCLINTOCK to be vomiting, and to be spitting out blood, and to have blood on his head and face. I observed MCCLINTOCK to have numerous bruises, scrapes, scratches, and abrasions on his body and he appeared largely disheveled. MCCLINTOCK stated some unknown residents had beat him up because he was in their yards and stealing stuff. I placed MCCLINTOCK in handcuffs. Before searching him, I placed gloves on, and asked MCCLINTOCK if there is anything on him I need to know about. MCCLINTOCK stated he

INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 2016-01752

Melvindale Police Department

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has a crack pipe in his pocket. I located same in his left front pocket. I handed it to Cpl. Hinojosa, along with MCCLINTOCK's MI ID card. I ordered MCCLINTOCK to stand up. I walked MCCLINTOCK to my patrol car. MCCLINTOCK stiffened and tensed his arms and body and was difficult to walk back to the vehicle. Upon arrival at the patrol car, I opened the door, and due to MCCLINTOCK's combative nature and several angry (at MCCLINTOCK) residents walking in my direction, I quickly and forcefully placed MCCLINTOCK in the rear of the car, accidentally striking his head on the car in the process.

I transported MCCLINTOCK to MEPD where he was booked and lodged. During the medical screening, I asked MCCLINTOCK if he has any drugs in his system. MCCLINTOCK stated he has crack in his system, and other drugs, but he did not know what kind of other drugs.

Issued violation 644355 for Interfering with police officer and drug paraphernalia.

Cpl. Hinojosa States:

On 06/16/2016, I was working day shift from 0800 hrs to 1600 hrs. I was in full uniform and a fully marked police car. At approximately 1155 hrs, I was dispatched to the area of 17334 Hanna Ave, to check for a burglary/larceny suspect ROBERT MICHAEL MCCLINTOCK. Several persons called MEPD to and reported that the same man who has been stealing from their neighborhood was back in the area. I assisted in checking the area and stood by as Cpl. Furman placed MCCLINTOCK under arrest. I entered the bicycle, lawn mower, and crack pipe into evidence.

Incident Report Suspect List*Melvindale Police Department*

OCA: 2016-01752

1	Name (Last, First, Middle)						Also Known As				Home Address			
	MCCLINTOCK, ROBERT MICHAEL										3949 TRENTON ST DETROIT, MI 48210-2013			
	Business Address													
	DOB.	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.			
	07/22/1972	43	W	M	N	508	180	BRO	BLU	FAIR	M245745603578 MI			
Scars, Marks, Tattoos, or other distinguishing features														
Reported Suspect Detail														
Suspect Age		Race		Sex		Eth		Height		Weight		SSN		
Weapon, Type		Feature		Make		Model		Color		Caliber		Dir of Travel		
Veh Yr/Make/Model		Drs		Style		Color		Lic/St		Mode of Travel		VIN		
Notes							Physical Char							

Incident Report Related Property List

Melvindale Police Department

OCA: 2016-01752

1 Property Description Narcotics equipment		Make		Model		Caliber	
Color	Serial No.	Value \$0.00	Qty 1.000	Unit	Jurisdiction Locally		
Status Evidence Seized	Date 06/16/2016	NIC #	State #	Local # 29281	OAN		
Name (Last, First, Middle) * No name *			DOB	Age	Race	Sex	

Notes

Locker#22-pipe fashioned for use of crack/cocaine

2 Property Description BICYCLES		Make		Model		Caliber	
Color	Serial No.	Value \$20.00	Qty 1.000	Unit	Jurisdiction Locally		
Status Other	Date 06/16/2016	NIC #	State #	Local # 29282	OAN		
Name (Last, First, Middle) Mcclintock, Robert Michael			DOB 07/22/1972	Age 43	Race W	Sex M	

Notes

18 speed black girls bike

3 Property Description LAWN/YARD/GARDEN EQUIPMENT		Make		Model		Caliber	
Color	Serial No.	Value \$0.00	Qty 1.000	Unit	Jurisdiction Locally		
Status Found Property	Date 06/16/2016	NIC #	State #	Local # 29283	OAN		
Name (Last, First, Middle) * No name *			DOB	Age	Race	Sex	

Notes

**Red Briggs/Stratton 550 EX with a '21 inch cutting width
Model#11A-B1BE729**

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 07/22/2016 10:53

Melvindale Police Department

OCA: 201601752

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *ARREST*Case Mng Status: *NA*

Occurred: 06/16/2016

Offense: *VIOLATION OF CONTROLLED SUBSTANCE ACT. (VCSA)*Investigator: *ALLEN, J. (ME018)*

Date / Time: 06/17/2016 10:11:01, Friday

Supervisor: *(0)*Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *Interview*

On June 17th, 2016, around 0915hrs, Ofc. Nolin and I, Lt. John Allen, interviewed Robert McClintock. I read McClintock his Miranda warnings, which he said he understood, initialed, and signed off on.

McClintock was upset while reading him his rights and wanted to talk about how Cpl. Furman slammed his head into the police car, while he was handcuffed behind his back. I informed him that I, along with Ofc. Nolin witnessed this and have written letters to the Chief of Police, in regards to that incident. McClintock went on to state that he was also denied medical attention by Cpl. Furman and was told by Cpl. Furman, that he needs to learn how to walk. I informed McClintock that I would not sweep that incident under the rug and further informed him that he could fill out a complaint against Cpl. Furman, which he later did.

I told McClintock that I wanted to interview him today to retrieve a wagon that I believe McClintock stole. McClintock denied having any knowledge of the wagon; however, when we explained that it was a family heirloom and that he was on videotape taking the wagon, he confessed that he had it. I asked him where he got the wagon from and he stated a field. I also inquired about where the wagon was and he stated that he cannot tell me, due to street code. He asked if I could get him a personal bond? I explained that I could try; however, would want the wagon returned. He stated that he would return the wagon if released.

Ofc. Nolin asked McClintock about the lawnmower, to which he replied, I borrowed it from a neighbor.

Ofc. Nolin and I examined McClintock's head for the injury he sustained when being forcefully placed into Cpl. Furman's vehicle. We located a cut on the top of his head and took photographs of the injury. I asked McClintock if he needed medical attention and he stated that it was a little too late for that.

McClintock wrote out an officer complaint form against Cpl. Furman and I took that and turned it over to the chief.

Investigator Signature

Supervisor Signature

4/23/2018

r_supp3

Defendant's Response to 1st Request to Produce

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CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 07/22/2016 10:53

*Melvindale Police Department*OCA: **201601752**

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: **ARREST**Case Mng Status: **NA**Occurred: **06/16/2016**Offense: **VIOLATION OF CONTROLLED SUBSTANCE ACT. (VCSA)**Investigator: **NOLIN, B. (ME046)**Date / Time: **06/17/2016 11:54:13, Friday**Supervisor: **(0)**Supervisor Review Date / Time: **NOT REVIEWED**Contact: **Chulis, Dianne**
17434-2 Harman Ave, Melvindale
313-388-0043Reference: **Investigation**

DET NOLIN STATES: On 06/17/2016, I received a call from Chulis who stated that her lawnmower had been stolen from her yard yesterday. She stated she lived at 17434 Harman Ave. I asked her to come to MEPD with any paperwork she had for the mower. Chulis provided an owners manual and operators manual for the mower in our garage. Chulis also described the mower in the garage and after seeing the mower Chulis stated it was her mower. Officers had Chulis sign for the mower and turned it over to her.

Chulis stated that she does not want to pursue charges. [06/17/2016 12:01, BNOLIN, 2502, MEPD]

Investigator Signature

Supervisor Signature

4/23/2018

r_supp3

Derendant's Response to 1st Request to Produce

00652 Page 1

CASE SUPPLEMENTAL REPORT

Printed: 07/22/2016 10:53

*Melvindale Police Department*OCA: **201601752**

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: **ARREST**Case Mng Status: **NA**Occurred: **06/16/2016**Offense: **VIOLATION OF CONTROLLED SUBSTANCE ACT. (VCSA)**Investigator: **FURMAN, M. L. (ME044)**Date / Time: **06/17/2016 12:41:09, Friday**Supervisor: **JONES, D. (ME020)**Supervisor Review Date / Time: **06/17/2016 13:03:00, Friday**

Contact:

Reference: **Follow Up**

On 06/17/2016 at approximately 1230 hrs, I went to 17430 Hanna Ave for a follow up.

Upon arrival, I spoke with witness Tammy Graff and obtained a verbal and written statement from her. Graff advised me that she saw MCCLINTOCK riding a black bicycle north on Hanna Ave near her home. Graff stated she recognized MCCLINTOCK as the same man who stole her family's bicycles and red wagon. Graff observed her husband, Michael Graff, confront MCCLINTOCK, who then abandoned the mower near Hanna Ave / Martel Ave, and fled on bicycle.

Michael Graff got into his truck, and Tammy Graff then got in the front passenger seat. They pursued MCCLINTOCK in their vehicle until coming to a stop on Caryn Street, and advised Officers of the situation. Michael Graff and Tammy Graff, along with numerous other residents, assisted in searching for MCCLINTOCK.

Investigator Signature

Supervisor Signature

4/23/2018

r_supp3

Defendant's Response to 1st Request to Produce

00658 Page 1

User: JALLEN

MELVINDALE POLICE DEPARTMENT

06/17/2016 14:28:09

Jail Medical Screen History Report

Inmate: MCCLINTOCK, ROBERT MICHAEL Race: W Sex: M DOB: 07/22/1972 SSN:

Booking #: 110957 Booking Officer: FURMAN, M. L. Date/Time: 06/16/2016 12:17:00

Screening Officer: Date: 06/16/2016 12:21:36

Reviewed By (Nurse): Date:

Q. #	Question	Answer	Notes
1	Are there any visible signs of trauma or illness requiring emergency or Doctor's care?	Y	assorted scrapes, scratches, etc. from hopping fences and fighting with people
2	Is the inmate under the influence of alcohol and/or drugs?	Y	alcohol, crack, unknown drugs
3	Does the inmate behavior suggest risk of suicide, assault to staff, or other inmates?	N	
4	Does inmate have any medical problems we should be aware of? (Hepatitis/AIDS/HIV/Diabetes)	N	
5	Does the inmate report being prescribed any medication that needs to be administered?	N	
6	Is the inmate allergic to any medication?	N	

(Confinement Code: NEW)

Total 'YES' Answers: 2 Total 'NO' Answers: 4 Total 'REFUSE' Answers: 0

Signature of Classification Officer

X

Signature of Inmate

User: JALLEN

MELVINDALE POLICE DEPARTMENT

06/17/2016 14:28:09

Jail Medical Screen History Report

Inmate: MCCLINTOCK, ROBERT MICHAEL Race: W Sex: M DOB: 07/22/1972 SSN:

Booking #: 110957 Booking Officer: FURMAN, M. L. Date/Time: 06/16/2016 12:17:00

Screening Officer: _____ Date: 06/16/2016 12:21:36

Reviewed By (Nurse): _____ Date: _____

Q. #	Question	Answer	Notes
1	Are there any visible signs of trauma or illness requiring emergency or Doctor's care?	Y	assorted scrapes, scratches, etc. from hopping fences and fighting with people
2	Is the inmate under the influence of alcohol and/or drugs?	Y	alcohol, crack, unknown drugs
3	Does the inmate behavior suggest risk of suicide, assault to staff, or other inmates?	N	
4	Does inmate have any medical problems we should be aware of? (Hepatitis/AIDS/HIV/Diabetes)	N	
5	Does the inmate report being prescribed any medication that needs to be administered?	N	
6	Is the inmate allergic to any medication?	N	

(Confinement Code: NEW)

Total 'YES' Answers: 2 Total 'NO' Answers: 4 Total 'REFUSE' Answers: 0

Signature of Classification Officer

X

Signature of Inmate

User: JALLEN

MELVINDALE POLICE DEPARTMENT

06/17/16 02:28:57

MCCLINTOCK, ROBERT MICHAEL



Photo Date: 08/31/15 09:58:26 AM



Photo Date: 08/31/15 09:58:26 AM

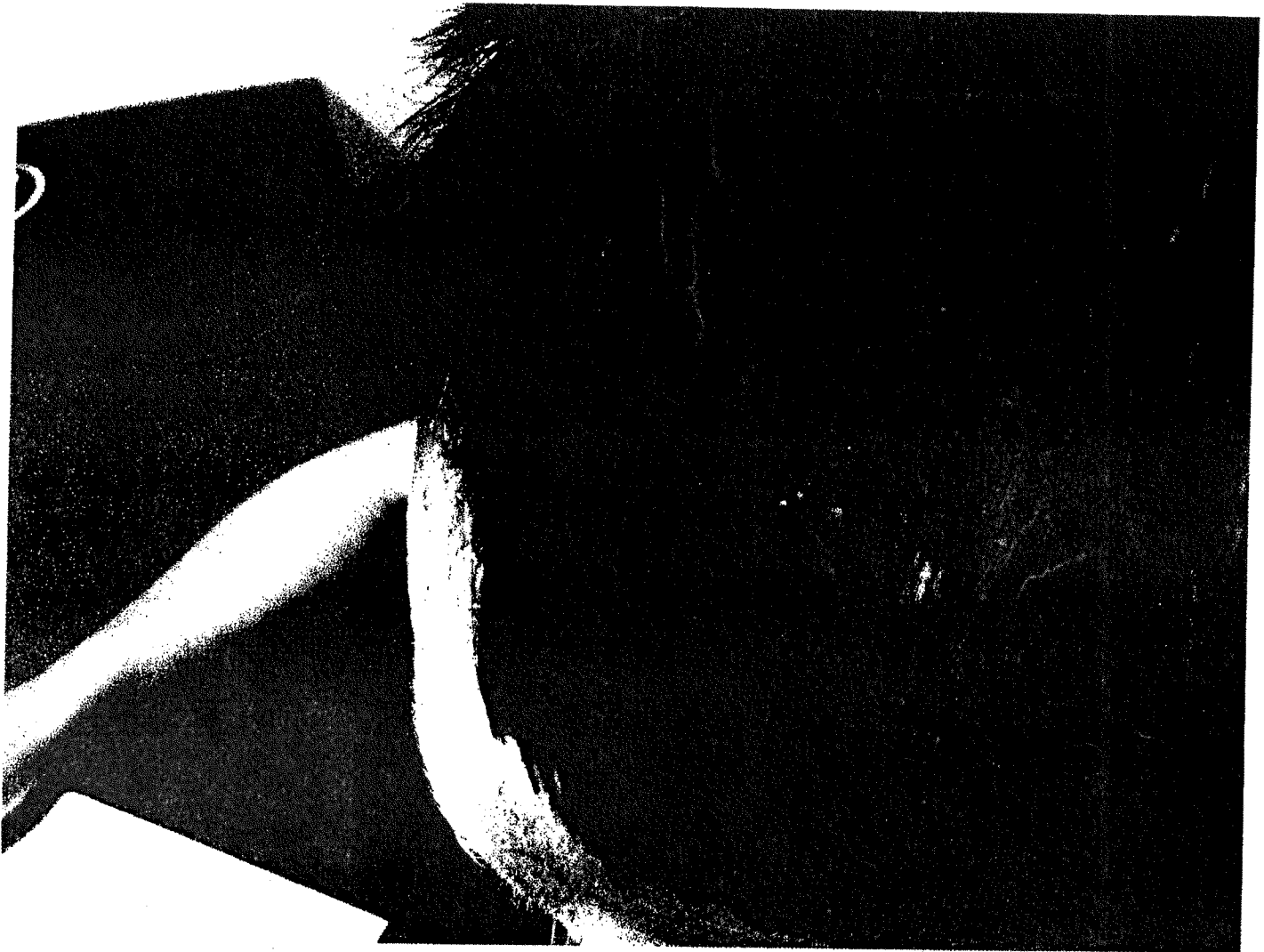
MCCLINTOCK, ROBERT MICHAEL (W M)

R_Photo2

4/23/2018
Defendant's Response to 1st Request to Produce
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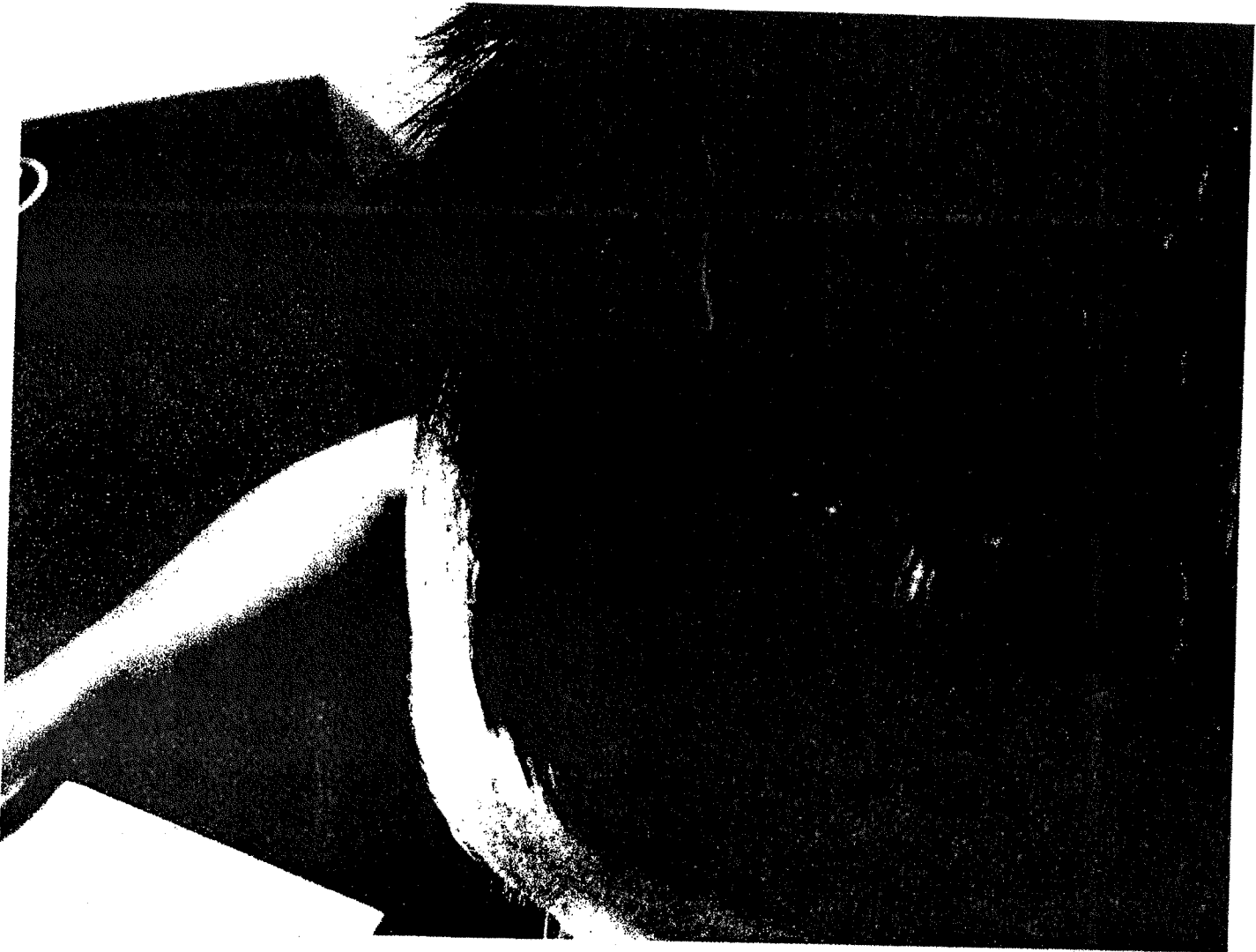
8/17/2016

IMG_0309.JPG



8/17/2016

IMG_0309.JPG





COMPLAINT AGAINST OFFICER

Name of Citizen Complaining: Robert McClintock
Date of Birth: 7-22-72 Street Address: 8373 Cahalan
City: Detroit State: MI Zip Code: 48209
Call Back Phone Home: _____ Cell: _____

I wish to complain against Officer Furman

Nature of Complaint (brief explanation) _____

Signature: Robert McClintock Date: 6-17-16

COMPLAINTS AGAINST OFFICERS SHALL BE MADE IN WRITING

DETAILS OF COMPLAINT (Use back of form if necessary) Officer

Slammed my head in between
the car doors when I was
already in hand cuffs The
officer said that I should
learn how to walk.

I was also refused medical
attention by officer furman

Received by/Reviewed by Shift Commander: Det John R Allen

THIS COMPLAINT WILL BE FORWARD TO THE CHIEF OF POLICE



Melvindale Police Department Departmental Communication

FROM: Lt. John R. Allen

TO: Chief Hayse

DATE: June 16, 2016

SUBJECT: Cpl. Furman

Chief:

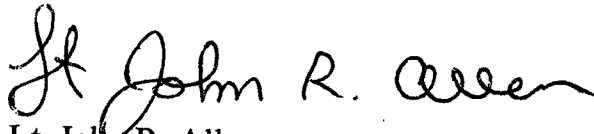
I assisted road patrol today, along with Detective Nolin, with a case involving a white male running away from Cpl. Furman. It is alleged that this man, later identified as Robert McClintock, may have stolen something from a citizen in town. While looking for this man, I heard Cpl. Hinojosa call over the radio that they had the man in custody on Clarence St, near McKitrick. Detective Nolin and I arrived at the location and went into the backyard of 3509 Clarence. There, I noticed Cpl. Furman escorting a male suspect out of the backyard, with his hands cuffed behind his back.

Cpl. Furman escorted this man to his patrol car. There, I observed Cpl. Furman forcibly placing the man into the rear of his patrol car. I heard a thud sound and also witnessed the man's head (above the hairline and towards the top) hit the top portion of the rear door of the patrol car, while he was being placed back there.

At the station, I informed Lt. Welch of this and asked him if the prisoner had any injuries. Lt. Welch stated that he was told that he didn't have any reported injuries, other than some bumps and bruises. I printed out McClintock's booking photo and jail medical screening history report and have attached it to this communication. It should be noted that the booking photo is from 2015, because no new photo was taken.

I asked Cpl. Hinojosa and Detective Nolin if they saw Cpl. Furman putting the man into the back of his patrol car. Both stated that they did. I asked both of them to write you a communication, as to what they witnessed.

I interviewed Mr. McClintock on the 17th of June, around 09:15hrs, along with Detective Nolin and added the notes from that interview to complaint number 2016-01752. I have also attached that to this communication, as it is relevant to this, as Mr. McClintock is complaining about the use of force and lack of medical treatment, on behalf of Cpl. Furman. The complaint against officer form is also attached to this communication.


Lt. John R. Allen.



Melvindale Police Department Inter-Departmental Communication

To: Chief Hayse

From: Det. Nolin

Date: 06/16/2016

Regarding the arrest of Robert McClintock, I arrived on scene with D/Lt. Allen. I went to the back yard of the house and observed McClintock to be face down with his arms behind his back, in handcuffs. Cpl. Furman told McClintock to stand up on the count of 3 and pulled McClintock by the elbow to his feet on the count of 3.

Cpl. Furman then walked McClintock to his patrol vehicle with what appeared to be a wrist lock. Once at the car it appeared Cpl. Furman pushed McClintock towards the opened back seat causing McClintock to hit his head on the frame of the car. I could not hear any words being spoken by McClintock or Cpl. Furman as they walked to the car.

Later in the day D/Lt. Allen asked me if I observed the incident and asked me to write a letter stating what I seen.

Det. Nolin

A handwritten signature in black ink, appearing to read "S. Nolin", written over the typed name "Det. Nolin".



Melvindale Police Department
Inter-Departmental Communication

To: Chief Hayse
From: Lt. Welch
Subject: Report 16-01752
Date: 7-21-16

This communication is in regards to my conversation with Cpl. Furman after he booked Robert McClintock into our jail. Cpl. Furman stated to me at the front desk that McClintock had a couple "bumps and scrapes" from the arrest and that "he should be OK". At no time did Cpl. Furman state to me that McClintock requested medical attention. Cpl. Furman also stated to me that the booking camera was not working, so he used a previous arrest photo for the booking sheet.

A handwritten signature in black ink, appearing to read "LT WELCH". The signature is fluid and cursive, with a long horizontal stroke at the end.

"On 07-20-2016 (date) 2:15 PM (time), at HOME (place) I asserted the right to remain silent. I was thereafter ordered by POLICE CHIEF CHAD HAYSE (superior officer, name & rank) to submit information (which includes a report, statement or answers to questions) as a condition of continued employment. In view of possible job forfeiture, I have no alternative but to abide by this order and to submit this compelled information. I rely specifically upon the protection afforded me under the doctrines set forth in Garrity v New Jersey, 385 US 493 (1967), Gardner v Broderick, 392 US 273 (1968), and their progeny, as well as PA 563 of 2006, MCL 15.391 et seq.

It is my belief and understanding that this information will not and can not be used against me by any governmental agency or related entity in any subsequent proceedings, other than disciplinary proceedings within the confines of the department itself. For any and all other purposes, I continue assertion of my constitutional right to remain silent under the FIFTH and FOURTEENTH AMENDMENT to the UNITED STATES CONSTITUTION and any other rights prescribed by Michigan laws.

This assertion of right applies to information (report/statement/answers to questions) in # 2016-01752.

<u>M. Furman</u>	<u>07-20-2016</u>	<u>B. G. [Signature]</u>	<u>7-20-16</u>
Officer	Date	Witness	Date

To: Chief Hayse
From: Cpl. Furman
Date: 07/18/2016
Subject: Case No. 2016-01752 / Robert Michael McClintock

I have been ordered to write an account of the incident from the time I first saw MCCLINTOCK until he was brought to MEPD. I have been advised, by my union representative, Detective Nolin, that per Lt. Allen, I can be terminated if I do not provide a written statement. I have requested a copy of police report 2016-01752 (which I wrote) but have been advised by my union representative, Detective Nolin, that per Chief Hayse and Lt. Allen, I cannot have a copy of the report. As such, I am writing this statement without the ability to reference the original report I wrote and I do not have access to information such as date, times, addresses, names, witness statements, etc. I AM ASSERTING AND INVOKING GARRITY PROTECTION.

On the date and time in question, I was working the day shift and was in full Class A Uniform and driving a fully marked patrol car. I was dispatched to the west side of town to look for a subject who was known to residents in the area as the offender in recent larceny incidents. One of the residents/victims had recognized MCCLINTOCK as the same person who has stolen his wagon and bicycles. This resident had just observed MCCLINTOCK steal a walk behind lawn mower from a neighbor's yard, and was pulling it behind him on his black bicycle. When the resident tried to stop MCCLINTOCK, he fled, eventually abandoning the lawn mower on the street and bicycling away rapidly. The resident then got into his black pickup truck and pursued MCCLINTOCK. Upon my arrival on scene, I observed the mower in the roadway, and the black truck turning the corner. Another resident shouted at me to follow the truck. I did so, with lights and sirens activated, and continuously advised dispatch of location, direction of travel, speed, etc. This pursuit lasted several minutes, and came to a stop in front of a residence in the Melwood Park subdivision. The resident exited the truck, and pointed at MCCLINTOCK, who was on bicycle, and identified him as the man who has been stealing from him and his neighbors. I yelled at MCCLINTOCK "STOP, POLICE" and MCCLINTOCK turned and looked at me, and then continued to flee into the back yard on bicycle. I pursued MCCLINTOCK on foot, repeatedly shouting at him to stop and identifying myself as a police officer. When MCCLINTOCK reached the rear fence line, he got off his bicycle, dropped it on the ground, and hopped the fence. I pursued him to the fence line, but a resident advised me there are dogs in the adjoining yard, and I did not pursue further on foot for fear of possibly being attacked by dogs. I provided other units with last known location and direction of travel for MCCLINTOCK. I secured MCCLINTOCK's bicycle in the rear of my patrol car.

For the next 20 to 30 minutes, I, along with other officers, searched the area for MCCLINTOCK. Numerous residents including relatives of the reporting party/larceny victim also joined the search. MCCLINTOCK was reported by residents and officers to be sighted at numerous locations throughout the area, but continued to evade police and residents. At one point, it was reported that MCCLINTOCK had broken into an enclosed porch at a residence, and he was also spotted running down streets, through yards, hopping fences, etc.

As I neared the address where MCCLINTOCK was arrested, I was flagged down by a male subject who shouted "they" have MCCLINTOCK captured in the back yard. I parked my patrol car on the street and ran as fast as I could to the back yard. At this time, I observed 3 or 4 large white males standing around MCCLINTOCK, who was laying on the ground. It appeared that these men had assaulted MCCLINTOCK, who was vomiting, bleeding from the lips and mouth, spitting blood, and to be covered in fresh injuries including scrapes, bruises, scratches, etc on his head, face and body. MCCLINTOCK was shirtless, one of his shoes was off and laying a few feet away, and his hat had also been knocked off and was several feet away.

The men surrounding MCCLINTOCK all seemed very angry and advised that MCCLINTOCK had just went in their garage and tried to steal a bicycle, and told them that police were after him and he needed to get away. The men advised that they had beat up MCCLINTOCK and that he must be high on drugs because he fought hard to try and get away from them and is very strong. While speaking with these men, MCCLINTOCK attempted to get up. I placed my foot on the muscular part of his back and gently pushed him flat to the ground and ordered him not to get up. I then handcuffed MCCLINTOCK. I searched MCCLINTOCK and found a glass crack pipe in his pants pocket. I asked MCCLINTOCK if he is high on crack and he stated yes he is.

During this time, I observed another large white male, standing approximately 10 feet away. This male was shouting at MCCLINTOCK that he was just getting ready to smash his head in with a brick before the police arrived. This man also seemed highly upset with the potential to be violent. I believe he was referring to using a landscaping brick to assault MCCLINTOCK with.

At this time, a white female, who also appeared highly upset, entered the back yard. At this time, the officers on scene were highly outnumbered by angry residents, and 2 of the officers on scene were plainclothes detectives who were not equipped with pepper spray, Taser, bulletproof vest, etc. I feared that further violence or a mob scene could occur, and decided it would be best to quickly remove MCCLINTOCK from the scene.

I ordered MCCLINTOCK to stand up, and I began walking him out of the back yard and toward the street, where my patrol car was parked. At this time, I observed another 2 or 3 male residents approaching the location. I quickly walked MCCLINTOCK to my patrol car. While walking MCCLINTOCK, I could feel him attempting to pull his arms and hands and twist them away from me, however I maintained a very secure grip on him. I opened the rear driver side door, and quickly placed MCCLINTOCK inside the patrol car. While MCCLINTOCK was entering the vehicle, he struck his head. I am unsure on what part of the car, but I believe the divider between the front and rear seating areas. MCCLINTOCK received a small cut on his forehead. I advised dispatch that I would be transporting MCCLINTOCK to MEPD.

MCCLINTOCK stated to me that he wanted to go to the hospital. I asked him why, and he stated because he just got beat up by the guys in the back yard, and because he had just struck his head getting in the patrol car.

Due to the angry persons at scene, and the likelihood of more persons arriving on scene, I felt it would be best to transport MCCLINTOCK to MEPD which was approximately 1 minute away, and if an ambulance was needed, have it arrive at MEPD where the scene was secure. The police station is also right next door to the fire station, and would reduce response time if an ambulance was needed.

I transported MCCLINTOCK to MEPD. Once parked inside the prisoner garage, I secured my firearm and vehicle keys, and had MCCLINTOCK exit the rear of the vehicle. I then walked him inside the booking room. I observed MCCLINTOCK to have blood, vomit, and sweat on his face, and blood from other injuries on other parts of his body such as his arms and hands. I got several wet towel papers and wiped off his face. I then removed my handcuffs from MCCLINTOCK and let him clean himself up. I then secured MCCLINTOCK inside a cell.

I went to the front desk and advised shift supervisor Lt. Welch that MCCLINTOCK had gotten beat up by the residents at scene, and that he had struck his head while putting him in the police car, and that MCCLINTOCK wants to go to the hospital. Lt. Welch responded something along the lines of "fuck that piece of shit". I put MCCLINTOCK's information on the prisoner board, washed my hands and face and began to start on the paperwork. In the police report, which was reviewed by Lt. Welch, I did advise in writing that MCCLINTOCK had been assaulted by the residents at scene who had captured him, and that he had struck his head while being placed in the patrol car.



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Chad L Hayse

Chief of Police

July 28, 2016

Matthew Furman
15207 Cicotte St
Allen Park, MI 48101

Corporal Furman,

Effective today, your suspension is changed to unpaid. My recommendation to the Commission of Public Safety will be to terminate your employment. I will consult with Corporation Counsel to determine if a Trial Board is appropriate.

Sincerely,

Chad L. Hayse
Police Chief
FBINA 250

Cc: MPOA Union
Corporation Council